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11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

14 IN RE HP SECURITIES LITIGATION,

Master File No. C-12-5980 CRB

15 This Document Relates To: All Actions

16 **CLASS ACTION**

17 **LEAD PLAINTIFF'S NOTICE OF
SUPPLEMENTAL AUTHORITY**

18 Date: November 8, 2013

19 Time: 10:00 a.m.

Judge: Honorable Charles R. Breyer

20 Room: 6 - 17th Floor
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PGGM Vermogensbeheer B.V. (“Lead Plaintiff”) respectfully submits this notice of supplemental authority to apprise the Court of the recent decision in *In re MGM Mirage Sec. Litig.*, 2013 U.S. Dist. LEXIS 139356 (D. Nev. Sept. 26, 2013) (“*MGM*”). *MGM* supports the denial of Defendants’ motions to dismiss in several key respects. First, in *MGM*, the court determined that the PSLRA’s “safe harbor” did not protect forward-looking statements alleged to be misleading due to the “omission of material facts presently known to the speaker.” *MGM*, 2013 U.S. Dist. LEXIS 139356, at *25-26; *see* ECF No. 168 at 31-32, n.44. The *MGM* court also determined that “[d]efendants grossly misappl[ied] the standard” for scienter because, like Defendants here, they asked the court to “improperly scrutinize individual allegations of scienter in isolation [] while ignoring the main allegations dealing with scienter.” 2013 U.S. Dist. LEXIS 139356, at *28 (footnote omitted); *see* ECF No. 168 at 19.¹ Finally, *MGM* rejected defendants’ obvious attempt, as here, to “mischaracterize” plaintiffs’ allegations. 2013 U.S. Dist. LEXIS 139356, at *18; *see* ECF No. 168 at ii-iv, 14.

Dated: October 1, 2013

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on October 1, 2013, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on October 1, 2013.

KESSLER TOPAZ MELTZER
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/s/ Paul Breucop
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